

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In Re:

Gary A. Falcone and Tina L. Falcone
Debtor

Eric E. Bononi, Trustee for the Bankruptcy Estate of
Gary A. Falcone and Tina L. Falcone
Trustee/Movant

v.

Gary A. Falcone, Tina L. Falcone, R. Scott Boyer and
RE/MAX Premier, Realtors,
Respondents

Bankruptcy No.: 19-70601-JAD

Chapter 7

Related to Doc. #119

DEFAULT O/E JAD

ORDER APPROVING RETENTION OF REALTOR/BROKER

AND NOW, this 21st day of October, 2021, upon Consideration of the *Motion by Trustee to Employ Real Estate Agent*, it is **ORDERED, ADJUDGED and DECREED**, as follows:

1. The above referenced Application is hereby approved as of the date the Application was filed.
2. R. Scott Boyer and RE/MAX Premier, Realtors, 267 Stoystown Road, Somerset, PA 15501 is hereby appointed, as of the date of filing the *Motion*, as **Realtor** for the Debtor in this bankruptcy proceeding pursuant to the terms described in the Listing Agreement attached to the *Motion* for the purpose of acting as the Movants agent in connection with the sale of real estate known as 225 Evans Ave., Blairsville, PA 15717. A realtor commission in the amount of six percent (6%) of the gross purchase price plus \$100 transaction fee or a \$3,000.00 minimum for the sale is tentatively approved, subject to final Court order.
3. Professional persons or entities performing services in the above case are advised that approval of fees for professional services will be based on other factors as well, including results accomplished, the time and labor reasonably required by the professional to perform the task(s) involved, the customary fee for similar services, the time limitations imposed by the retention or the circumstances encountered while performing the services, the relationship of the services, if any, to the ultimate bid amount for the subject property, and the extent and nature of awards in similar cases.
4. Approval of any motion for appointment of a professional in which certain fees are requested for various identified professionals is not an agreement by the Court to allow such fees at the requested hourly rates, and is not a preapproval of compensation pursuant to *11 U.S.C. §328(a)*. Final compensation, awarded only after notice and hearing, may be more or less than the requested amount based on application of the above criteria.

5. *Applicant shall serve the within Order on all interested parties and file a certificate of service.*


JEFFERY A. DELLER

sjk

UNITED STATES BANKRUPTCY JUDGE

cc: Trustee
Debtor
Counsel
Realtor/Broker
Office of the U.S. Trustee

FILED
10/21/21 11:52 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA

In re:
Gary A. Falcone
Tina L. Falcone
Debtors

Case No. 19-70601-JAD
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0315-7
Date Rcvd: Oct 21, 2021

User: bsil
Form ID: pdf900

Page 1 of 2
Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 23, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Gary A. Falcone, Tina L. Falcone, 225 Evans Ave., Blairsville, PA 15717-1066
r	R. Scott Boyer, RE/MAX Premier, Realtors, 267 Stoystown Road, PO Box 428, Somerset, PA 15501-0428

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 23, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 21, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor CSMC 2019-JR1 Trust bnicholas@kmlawgroup.com
Eric E. Bononi	bankruptcy@bononilaw.com pa69@ecfbis.com
Eric E. Bononi	on behalf of Trustee Eric E. Bononi bankruptcy@bononilaw.com pa69@ecfbis.com
Jerome B. Blank	on behalf of Creditor Wells Fargo Bank National Association, et.al. pawb@fedphe.com
Jill Locnikar	on behalf of Creditor United States of America Department of the Treasury Internal Revenue Service jill.locnikar@usdoj.gov,

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Page 2 of 2

Date Rcvd: Oct 21, 2021

Form ID: pdf900

Total Noticed: 2

patricia.fitzgerald@usdoj.gov;caseview.ecf@usdoj.gov;kassi.horton@usdoj.gov

Katrina M. Kayden

on behalf of Joint Debtor Tina L. Falcone kkayden@comcast.net jcerovich26@gmail.com

Katrina M. Kayden

on behalf of Debtor Gary A. Falcone kkayden@comcast.net jcerovich26@gmail.com

Keri P. Ebeck

on behalf of Creditor Specialized Loan Servicing LLC, as Servicing Agent for Wells Fargo Bank, National Association, Successor by Merger to Wells Fargo Bank Minnesota, National Association, f/k/a Norwest Bank Minnesota, N
kebeck@bernsteinlaw.com, jbluemle@bernsteinlaw.com

Maria Miksich

on behalf of Creditor CSMC 2019-JR1 Trust mmiksich@kmlawgroup.com

Michael N. Vaporis

on behalf of Debtor Gary A. Falcone mvaporis@comcast.net jlcerovich@comcast.net

Michael N. Vaporis

on behalf of Joint Debtor Tina L. Falcone mvaporis@comcast.net jlcerovich@comcast.net

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

Thomas Song

on behalf of Creditor Specialized Loan Servicing LLC pawb@fedphe.com

Thomas Song

on behalf of Creditor Wells Fargo Bank National Association, et.al. pawb@fedphe.com

TOTAL: 15